



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroyuki FUNAHASHI

Group Art Unit: 2141

Application No.: 09/231,114

Examiner: P. KANG

Filed: January 14, 1999

Docket No.: 102580

For: NETWORK SYSTEM, TERMINAL AND RECORDING MEDIUM

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

After entry of the Notice of Appeal filed herewith, Applicant respectfully requests review of the Final Rejection mailed January 26, 2005, in the above-identified application.

I. Status of Pending Claims

Claims 1-33 are pending. Claims 7, 10 and 21-33 are objected to only for being dependent from a rejected base claim, but are otherwise allowable. Claims 1-6, 8, 9 and 11-20 are rejected. No amendments are being filed with this request.

II. Grounds of Rejection Presented For Review

The following grounds of rejection are presented for review: claims 1-6, 8, 9 and 11-20 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,170,007 B1 to Venkatraman et al. ("Venkatraman") in view of U.S. Patent No. 5,651,006 to Fujino et al. ("Fujino").

However, claims 1-6, 8, 9 and 11-20 would not have been obvious over Venkatraman in view of Fujino. Claims 1, 8, 11, 15 and 17 are the rejected independent claims, and this rejection is the only rejection of claims 1-6, 8, 9 and 11-20.

The Office Action acknowledges that Venkatraman does not teach the claimed features of at least two of the terminals each adapted to obtain information on the other terminals therefrom, requesting means for requesting the selected terminal to transmit, to the controller, information on all the interconnected terminals; wherein the selected terminal transmits a request to the other interconnected terminal to obtain the information on the other terminals, receives the information from the other terminals, and forwards to the controller the information from the other terminals and information on the selected terminal. However, at page 3 of the Office Action, the Patent Office references col. 5, line 34 to col. 6, line 44 and col. 7, lines 1-53 of Fujino and asserts that Fujino teaches these claimed features.

Applicant respectfully disagrees with the Office Action's interpretation of Fujino. The sub-manager in Fujino is a particular or exclusive unit provided for collecting information of terminals and managing them, but is not a selected terminal which was selected, by a user's designation, among the plurality of terminals originally presented in the network system. Specifically, neither Venkatraman nor Fujino teach or suggest at least the feature including a request to other terminals to obtain information on the other terminals, wherein the other terminals forward to the selected terminal the information on the other terminals in response to the request, as recited in independent claims 1, 8, 11, 15 and 17. More specifically, Venkatraman and Fujino each fail to teach or suggest that the selected terminal transmits a request to the other interconnected terminals to obtain the information on the other interconnected terminals, the other interconnected terminals forward to the selected terminal the information on the other interconnected terminals in response to the request, and forwarding the information from the other interconnected terminals, as recited in claims 1, 8, 11, 15 and 17.

Fujino cannot teach or suggest these features. In particular, as acknowledged by the Patent Office, the system disclosed in Fujino is a hierarchical communication network

management system. The hierarchical communication network management system shown in Fig. 2 has logical relationship of agents, sub-managers and an integration manager. See col. 6, lines 5-6 of Fujino. It appears that the Patent Office considers the sub-manager to correspond to a selected terminal recited in the claims. However, the sub-manager of Fujino is only used for managing and controlling the managing objects under the management of agents, and is not one of a plurality of agents or terminals interconnected via a network, as required by each of claims 1, 8, 11, 15 and 17. See col. 5, line 52-55 of Fujino.

Furthermore, the sub-manager of Fujino is fixed or set as the manager for managing and controlling the managing objects. Namely, the sub-manager is not the selected terminal based on user's designation, as recited in claims 1, 8, 15 and 17.

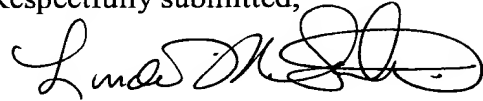
Accordingly, the sub-manager in Fujino works as a server computer such as described in "Description of Related Art" of the present specification. Thus, the hierarchical network system including the sub-manager of Fujino cannot achieve the object of obtaining information on the terminals efficiently without using such a server computer. See page 2 of the specification.

For the foregoing reasons, Applicant respectfully submits that Venkatraman and Fujino, whether taken singularly or in combination, would not have led one of ordinary skill in the art to the invention of independent claims 1, 8, 11, 15 and 17 or any of the claims dependent therefrom. Reconsideration and withdrawal of this rejection are thus respectfully requested.

III. Conclusion

For all of the reasons discussed above, it is respectfully submitted that the rejection is in error and that all the pending claims are in condition for allowance. For all of the above reasons, Applicant respectfully requests the panel of Examiners to review the January 26, 2005 Final Rejection prior to Appeal and to withdraw the rejection.

Respectfully submitted,



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JAO:LMS/bdh

Date: July 26, 2005

Attachment: Notice of Appeal and Petition for Extension of Time

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